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FROM Lee & Hayes

DATE 2009-03-03 19:19:16 GMT

RE 09/847,535 | MS1-0665US | Interview Request and Proposed

Agenda

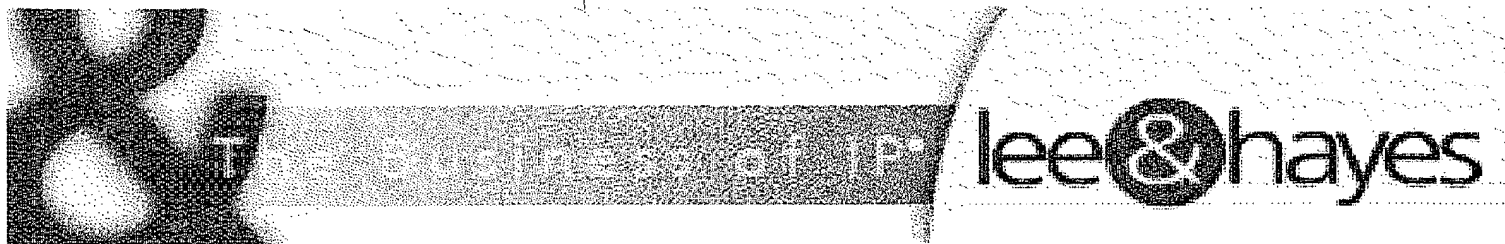
COVER MESSAGE

Cherri Simon
(509) 944-4776
cherri@leehayes.com<mailto:cherri@leehayes.com>

[cid:image001.jpg@01C99BF1.D13031B0]

Lee & Hayes pllc, Intellectual Property Law
601 West Riverside, Suite 1400, Spokane, WA 99201 | (509)323-8979 fax |
www.leehayes.com<http://www.leehayes.com/>

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Fax Cover Sheet

DATE: 03/03/09

TO: THOMAS H STEVENS

571-272-3715 FAX 571-273-3715

FROM: Ningning Xu

RE: 09/847.535 - Interview Request Form

NUMBER OF PAGES (including cover sheet): 2

Please confirm receipt of fax and acceptance of interview.

MS1-0665US

This communication provides an agenda for an in-person interview of this matter. We will be contacting you to schedule an interview. I will be at the USPTO campus Monday, March 16, Tuesday, March 17, and Wednesday, March 18. If you would prefer to schedule the interview, then please contact Cherri or me directly. Our contact info is below.

Thank you in advance for meeting with me about this matter.

Respectfully Submitted,

Ningning Xu
Reg. No. LO293
(509) 944-4726
ningning@leehayes.com
www.leehayes.com

Assistant:
Cherri Simon
(509) 944-4776
cherri@leehayes.com

Attorney Docket: MS1 - 0665US

lee & hayes intellectual property

421 west riverside avenue, suite 500, spokane, washington 99201

www.leehayes.com

303-539-0265 / fax 303-539-0270
DENVER
206-315-4001 / fax 206-315-4004
SEATTLE
509-324-9256 / fax 509-323-8979
SPOKANE

Applicant Initiated Interview Request Form

Application No.: 09/847,535 First Named Applicant: Barry C. Bond MS1-0665US
 Examiner: THOMAS H STEVENS Art Unit: 2121 Status of Application: _____

Tentative Participants:

(1) THOMAS H STEVENS (2) Ningning Xu
 (3) _____ (4) _____

Proposed Date of Interview: March 16, 17, 18 Proposed Time: Any (AM/PM)

Type of Interview Requested:

(1) ☐ Telephonic (2) ☒ Personal (3) ☐ Video Conference

Exhibit To Be Shown or Demonstrated: ☐ YES ☒ NO

If yes, provide brief description: _____

Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) <u>Rej</u>	_____	<u>All</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Continuation Sheet Attached					

Brief Description of Arguments to be Presented:

Discuss distinctions between the cited references and the claims; and proposed claim amendments. See attached.

An interview was conducted on the above-identified application on _____.

NOTE: This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

Applicant/Applicant's Representative Signature

Examiner/SPE Signature

Ningning Xu

Typed/Printed Name of Applicant or Representative

10293

Registration Number, if applicable

Attorney Docket: MS1 - 0665US

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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MAR 03 2009**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)**

Serial Number	09/847,535
Confirmation Number	4017
Filing Date	May 1, 2001
Title of Application	Kernel Emulator for Non-Native Program Modules
First Named Inventor	Barry C. Bond
Assignee	Microsoft Corporation
Group Art Unit	2121
Examiner	THOMAS H STEVENS
Attorney Docket Number	MSI-0665US
Nature of this Document	Informal Communication in Preparation for Scheduling an Examiner Interview

To: Examiner STEVENS
Fax: 571-273-3715
Phone: 571-272-3715

From: Ningning Xu
Lee & Hayes, PLLC
601 W. Riverside Avenue, Suite 1400
Spokane, WA 99201
Ningning@leehayes.com
(Tel. 509-944-4726; Fax 509-323-8979)

Dear Examiner STEVENS:

[0001] This communication provides an agenda for an interview of this matter. My assistant will be contacting you to schedule an interview. If you would prefer to schedule the interview, then please contact my assistant or me directly. Our contact info is on the signature page of this document. Thank you in advance for talking with me about this matter.

Rev. Date: 04/01/08
Rev. By: KDB

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Interview Agenda:

- Discussion of current § 101 rejections

Section 101

[0002] I would like to confirm that you will withdraw the current § 101 rejections in light of the amendments proposed herein.

[0003] If you will not withdraw the current §101 rejections if the proposed amendments are submitted, I would like to discuss suggestions you may have for additional amendments.

Proposed Amendments

[0004] Please see the attached Appendix of Proposed Claim Amendments. I would like to discuss your opinion regarding the proposed amendments in light of the current rejections. Applicant is receptive to considering further amendments to the claims to highlight statutory subject matter based on our discussion.

[0005] Thank you in advance for scheduling time for this interview. I look forward to discussing this with you.

Rev. Date: 04/01/08
Rev. By: KDB

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Respectfully Submitted,


Dated: February 26, 2009

By: _____
Ningning Xu
Reg. No. L0293
509-944-4726
Ningning@leehayes.com
www.leehayes.com

Assistant: Cherri Simon
509-944-4776
cherri@leehayes.com

Rev. Date: 04/01/08
Rev. By: KDB

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Appendix of Claims with Proposed Amendments

40. (Proposed amended) One or more computer-readable media having stored thereon instructions ~~that implementing a kernel emulator for non-native program modules, the instructions~~, when executed by a computing device, configure causing the computing device to perform an action comprising:

implementing a kernel emulator to emulate a non-native kernel on a native computing platform for non-native programs; and

converting so that non-native kernel calls that call a native kernel from non-native applications are converted into native kernel calls to the native kernel to facilitate interoperability of the non-native applications running on the native computing platform without the non-native applications being re-programmed or re-compiled for the native computing platform, wherein the non-native kernel calls ~~comprise comprises~~ non-native instructions not operable on the native computing platform.

41. (Proposed amended) One or more computer-readable media having stored thereon instructions implementing the kernel emulator recited in claim 40, wherein the ~~instructions of~~ implementing the kernel emulator comprises:

~~instructions~~ implementing an instruction-translator configured to translate non-native CPU instructions into native CPU instructions;

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~~instructions~~ implementing an address-translator configured to translate addresses from non-native length into native length; and

~~instructions~~ implementing a memory constrainer configured to limit addressable memory to a range addressable by non-native program modules.

42. (Proposed amended) One or more computer-readable media having stored thereon instructions of an operating system that, when executed on a computing device, cause the computing device to ~~implement a plurality of modules, the instructions comprising:~~

implement ~~instructions of implementing~~ a native kernel configured to receive calls from native program modules;

implement ~~instructions of implementing~~ a kernel emulator as recited in claim 40 configured to receive calls from non-native program modules.

45. (Proposed Amended) One or more computer-readable media having stored thereon instructions that, when executed by a computing device, ~~causes~~ configure the computing device to perform actions comprising:

~~implement~~ implementing a kernel emulator for non-native program modules, the kernel emulator comprising:

an interceptor configured to intercept non-native kernel calls that call

a native kernel from non-native program modules, wherein:

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the native kernel is a software component operating system functions and being implemented within a native operating system; and

the non-native kernel calls comprise non-native instructions not operable on the native operating system; and

a call-converter configured to convert the non-native kernel calls intercepted by the interceptor into native kernel calls, the native kernel calls having native instructions calling the native kernel, the call-converter comprising:

an instruction-translator configured to translate non-native CPU instructions into native CPU instructions;

an address-translator configured to translate addresses from non-native length into native length; and

an I/O unit configured to deliver converted native kernel calls to the native kernel,

wherein the call-converter facilitates interoperability of the non-native program modules running on the native platform by enabling the non-native program modules to call the native kernel without the non-native program modules being re-programmed or re-compiled for the native platform running the native kernel on which the non-native program modules are not operable.

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46. (Proposed Amended) ~~An operating system on a computer-readable medium;~~ One or more computer-readable media comprising:

a native kernel configured to receive calls from native program modules;

a kernel emulator as recited in claim 45 configured to receive calls from non-native program modules.

Rev. Date: 04/01/08
Rev. By: KDB

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